

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Donquarion Lewis; Ke’ Aujanaa Shepherd-Friday; and
K.B., by and through her parent and next friend, H.B.,

No. 1:22-cv-00838-RJJ-PJG

Plaintiff,

HON. ROBERT J. JONKER

v.

MAG. PHILLIP J. GREEN

MICHIGAN DEPARTMENT OF EDUCATION, a
governmental agency,

Defendant.

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JOINT STATUS REPORT

NOW COME the Parties, by and through their respective counsel, who, having conferred on June 12, 2024, present to the Court the following Joint Status Report, pursuant to Fed. R. Civ. P. 26(f) and the Court's January 22, 2024 Order Setting a Second Rule 16 Scheduling Conference (ECF No. 47, PageID.316) on June 24, 2024.

1. The Court has requested that the parties submit an updated Joint Status Report in advance of the Court's Second Rule 16 Scheduling Conference, scheduled for June 24, 2024.

2. **Mediation**. As noted in the parties' March 29, 2024 Joint Stipulation and Proposed Order to Modify Case Management Order, mediation was originally scheduled for March 28, 2024, but was adjourned at Defendant's request. Mediation has now been rescheduled with Lee T. Silver (P36905) for July 12, 2024.

3. **Discovery**. Discovery continues apace. The parties continue to work collaboratively to exchange documents and schedule depositions, with document discovery largely completed and Defendants' depositions of each of the three Plaintiffs already completed.

In addition, Plaintiffs will depose a Kalamazoo Public Schools official on June 14, 2024 and take two additional depositions of MDE officials in July.

The parties' expert witnesses have produced competing reports and Plaintiffs' expert witnesses are preparing rebuttal reports.

The parties do not anticipate needing any additional time to complete written discovery, the deadline for which is currently set for June 21, 2024, per the Court's Modification of the Case Management Order (ECF No. 51, PageID.329).

In an effort to conserve resources, the parties have agreed to depose expert witnesses only if mediation on July 12, 2024 is unsuccessful. Accordingly, the parties respectfully request that the Court allow them to schedule such expert depositions shortly after the current deadline of July 21, 2024 for expert discovery.

4. **Other.** Given the upcoming mediation and the parties' efforts to limit costs, the parties respectfully request that the Court either adjourn the scheduled June 24, 2024 scheduling conference until after mediation or amend the scheduling order to allow the parties to participate in the scheduling conference remotely by phone or video.

Respectfully submitted and stipulated as to form and content by:

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CERTIFICATE OF SERVICE

I hereby certify that on June 12, 2024, I electronically filed the foregoing document, Joint Status Report, and this Certificate of Service with the Clerk of the Court using the Court's ECF system, which will send notification of such filing to counsel of record.

Dated: June 12, 2024

/s/ Tara Lank
Tara Lank, Paralegal